

REMARKS

Among claims 1-10 and 12-15 pending in the present application, claims 1-10 and 12-14 have been withdrawn, and claim 15 has been rejected. Claim 15 has been amended herein. Entry of amendments to claim 15 is requested since the amendments do not raise any new issues, and since the amendments put claim 15 in condition for allowance and/or in better form for appeal. In view of the foregoing amendments and the following remarks, it is respectfully submitted that pending claim 15 is allowable, and reconsideration is respectfully requested.

Rejection of Claim 15 under 35 U.S.C. § 103(a)

Claim 15 stands rejected under 35 U.S.C. § 103(a) as obvious over US Patent Application Publication No. 2002/0130906 (Miyaki) in view of US Patent No. 6,640,185 (Yokota) and further in view of U.S. Patent Application Publication No. 2003/0085910 (Noble) and U.S. Patent Application Publication No. 2002/0145632 (Shmueli). Applicants submit that the rejection should be withdrawn for at least the following reasons.

In rejecting a claim under 35 U.S.C. §103(a), the Examiner bears the initial burden of presenting a prima facie case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 23 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art references must teach or suggest all of the claim of limitations. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 15 has been amended to explicitly recite “a selection of the indicator symbol

enabling a display of a selection menu containing information about the special objects, wherein the selection menu is displayed on the map display; wherein during the display of the selection menu, the indicator symbol is displayable at a same location on the map where it was displayed before the display of the selection menu, embedded in the selection menu.” Applicants note that the explicitly added recitation is clearly implied by the previously existing language of claim 15, i.e., the recitation that “the indicator symbol is **displayable at a same location on the map where it was displayed before the display of the selection menu**” necessarily implies that the selection menu is displayed on the map display.

As acknowledged by the Examiner, Miyaki does not suggest using multiple icon M for the menu selection; instead, Miyaki only teaches switching over a corresponding icon into another display of different POI (point of interest). Similarly, Yokota also fails to suggest blending a selection menu onto a map. In Yokota, further information regarding the cursor is indeed displayed, but for selection, a switch-over is made into a separate selection menu, as clearly indicated in Figures 10b, 11b, and 12b, for example; the selection menu itself is not displayed on the map. For example, as shown in Figure 12b, one can switch among the map display, "Cursor Point" and various other menu items. Consequently, Yokota clearly teaches away from the present claimed invention by suggesting one to switch between a map display and a separate selection menu. In addition, Noble clearly fails to teach or suggest displaying a selection menu; instead, Noble merely teaches displaying unclear symbols at an edge of a display in an individually resolved and enlarged manner.

Furthermore, while Shmueli discloses a selection menu in which a selection field "launch button" can be expanded by additional selection fields, there is simply no suggestion of applying this expansion to a map display. In the case of the selection field shown in Shmueli, sufficient space in which the selection field can expand is present around the selection field. However, in the case of a map display, other map components must be covered by the selection field. In addition, the launch button of Shmueli is not assigned to any position on a map; instead, this field is assigned to a position in a menu bar. This is

directly contrary to the present claimed invention, in which the common indicator symbol is assigned to a location in a map having several special objects, and the selection menu is then arranged about this particular point. Shmueli clearly does not teach or suggest such features.

For the foregoing reasons, the combination of Miyaki, Yokota, Noble and Shmueli fails to teach or suggest calling up a selection menu in a map from a common indicator symbol for a plurality of special objects, as well as failing to teach or suggest displaying the common indicator symbol unchanged at its original location after calling up this selection menu in the map. Accordingly, Applicants respectfully submit that claim 15 is not rendered obvious by the applied references.

CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that pending claim 15 is in allowable condition. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully Submitted,
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